

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOSHUA TAPER, :
vs. :
Plaintiff, : Case No. 1:24-cv-159
vs. : Judge Jeffery P. Hopkins
JON TABOR, *et al.*, :
Defendants. :
:

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation (Doc. 5) issued by Magistrate Judge Kimberly A. Jolson on June 6, 2024. The Magistrate Judge recommends that this Court (1) dismiss some of Plaintiff's claims with prejudice for failure to state a claim, (2) sever and dismiss certain unrelated claims, (3) deny Plaintiff's Motion to Amend Exhibits (Doc. 2), and (4) deny Plaintiff's Motion for Preliminary Injunction (Doc. 3). No objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired.¹

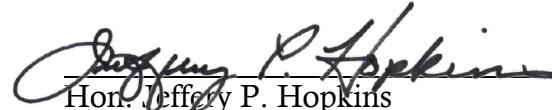
Having carefully reviewed the comprehensive findings and conclusions of the Magistrate Judge and finding no clear error, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. *See* Fed. R. Civ. P. 72 (advisory committee notes) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the fact of the record in order to accept the recommendation"); *see e.g., Roane v. Warden of Corr. Reception Ctr.*, No. 2:22-cv-2768, 2022 WL 16535903, at *1 (S.D. Ohio Oct. 28, 2022). Claims

¹ Plaintiff has made several additional filings in this case, but none of those filings set forth objections related to the Magistrate Judge's first Report and Recommendation (Doc. 5).

1(a)–(e), 2(a), 2(b), and 12–13 of Plaintiff's Complaint are therefore **DISMISSED with prejudice** for failure to state a claim. The unrelated claims against Defendants Stanley, Adomako, Payne, Holley, Shelton, Jackson, Ertel, Harless, Justice, Stanforth, and Watts (Claims 4–9; 11; 14–15) are **SEVERED** and **DISMISSED without prejudice**. Any state-law civil claims pleaded against these Defendants and Plaintiff's unrelated “false conduct violation” claim against Defendant Turner (Claim 10(a)) are also **SEVERED** and **DISMISSED without prejudice**. Additionally, Plaintiff's Motion to Amend Exhibits (Doc. 2) and Plaintiff's Motion for Preliminary Injunction (Doc. 3) are **DENIED**.

IT IS SO ORDERED.

Dated: November 8, 2024



Hon. Jeffery P. Hopkins
United States District Judge